

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent &amp; Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
---	---

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 08-01306 JL	DATE FILED 3/6/08	U.S. DISTRICT COURT Northern District of California, San Francisco Division
PLAINTIFF SECUGEN CORPORATION		DEFENDANT UNION COMMUNITY CO, LTD
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,381,347		
2 6,324,020		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
--------------------

CLERK Richard W. Wicking	(BY) DEPUTY CLERK Gloria Acevedo	DATE March 11, 2008
-----------------------------	-------------------------------------	------------------------

Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to Commissioner  
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

E-filing

**ADR**  
**ORIGINAL FILED**

MAR - 6 2008

Richard W. Wieking  
Clerk, U.S. District Court  
Northern District of California  
San Jose

Erica D. Wilson, State Bar No. 161386  
Email: ewilson@goodwinprocter.com  
GOODWIN PROCTER LLP  
181 Lytton Avenue  
Palo Alto, California 94301  
Telephone: 650-752-3100  
Facsimile: 650-853-1038

Attorneys for Plaintiff SecuGen Corporation

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

**C08 01306**

Case No.

**JL**

SecuGen Corporation,

*Plaintiff,*

vs.

Union Community Co. Ltd.,

*Defendant.*

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

**COMPLAINT**

Plaintiff SecuGen Corporation ("SecuGen"), for its Complaint against Union Community Co. Ltd. ("Union Community") alleges as follows:

**NATURE OF ACTION**

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code, §§ 100 *et seq.*

**PARTIES**

2. Plaintiff SecuGen is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 2356 Walsh Avenue, Santa Clara, California 95051.

3. On information and belief, Defendant Union Community is a corporation organized

1 and existing under the laws of the Republic of Korea, having its principal place of business at (138-  
2 050) Hyundai Topics Building 3F, 44-3 Bangi-Dong Songpa-gu, Seoul, South Korea.

### 3 JURISDICTION AND VENUE

4 4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C.  
5 §§ 1331 and 1338(a)

6 5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).  
7 Union Community is transacting, doing and/or soliciting business and committing acts of patent  
8 infringement in this judicial district and elsewhere in the United States.

### 9 INTRADISTRICT ASSIGNMENT

10 6. Assignment to the San Jose Division is proper because Plaintiff SecuGen has its  
11 principal place of business in Santa Clara County, and acts of infringement have occurred in Santa  
12 Clara County.

### 13 BACKGROUND

14 7. Plaintiff SecuGen is a leading provider of biometric devices including fingerprint  
15 recognition devices ("FRD"). An FRD is a device used to identify any individual by his or her  
16 fingerprint. FRDs have a variety of uses including, among other things, providing security for  
17 electronic devices such as computers, door locks, and cell phones.

18 8. On April 30, 2002, U.S. Patent No. 6,381,347 ("the '347 patent") entitled "High  
19 Contrast, Low Distortion Optical Acquisition for Image Capturing" was duly and legally issued to  
20 inventors Harry H. Teng and Sung-Chan Jo. SecuGen is the owner by assignment of all rights, title  
21 and interest in the '347 patent. A true and correct copy of the '347 patent is attached as Exhibit A.

22 9. On November 27, 2001, U.S. Patent No. 6,324,020 ("the '020 patent") entitled  
23 "Method and Apparatus of Trapezoidal Distortion and Improvement of Image Sharpness in an  
24 Optical Image Capturing System" was duly and legally issued to inventors Harry H. Teng and Sung-  
25 Chan Jo. SecuGen is the owner by assignment of all rights, title and interest in the '020 patent. A  
26 true and correct copy of the '020 patent is attached as Exhibit B.

27 10. The technology disclosed and claimed in the '347 and '020 patents is directed to  
28 optics modules used in FRDs.

11. Defendant Union Community imports into the United States, offers to sell, distributes and sells within the United States FRDs including, among others, the VIRDI FOH01 USB Fingerprint Reader, the VIRDI RF700 USB Fingerprint Reader, the VIRDI FSH01 and FSH01RF Fingerprint Readers, the VIRDI FOM01 Fingerprint Mouse, the VIRDI 3000 series (including the VIRDI 3000, 3000SC and 3000RF) and VIRDI 200N Fingerprint Terminals, the VIRDI 400FP series (including the VIRDI 400FP, 430FP and 450FP) Fingerprint Authentication Door Locks, the VIRDI 4000 series (including the VIRDI 4000, 4000SC and 4000RF) Fingerprint Terminals, the VIRDI 600FP series Fingerprint Panel, the VIRDI Safe200, Safe300, Safe400 and Safe500 and the VIRDI 10BU and 20BU Fingerprint Recognition OEM Modules. The foregoing devices listed in this paragraph 11 will be referred to collectively herein as the "Union Community FRDs."

**FIRST CAUSE OF ACTION**

**(Infringement of the '347 patent)**

12. SecuGen incorporates the allegations set forth in Paragraphs 1-11 above as if fully set forth herein.

13. The Union Community FRDs that Union Community imports into the United States, and distributes, offers to sell and sells within the United States include optics modules that are covered by one or more claims of the '347 patent.

14. Union Community's importation into the United States, and offers to sell, distribution, and sales within the United States of the Union Community FRDs that contain optics modules that are covered by one or more claims of the '347 patent is unauthorized.

15. Union Community's importation into the United States, and distribution, offers to sell and sales within the United States of Union Community FRDs that contain optics modules that are covered by one or more claims of the '347 patent thus constitutes infringement of the '347 patent in violation of 35 U.S.C. § 271(a).

16. Union Community actively induces third-parties to use within the United States the Union Community FRDs. Third-parties who use the Union Community FRDs infringe one or more claims of the '347 patent.

17. Union Community thus actively induces infringement of the '347 patent in violation

of 35 U.S.C. § 271(b).

18. The optics modules incorporated into the Union Community FRDs that Union Community imports into the United States, distributes, offers to sell and sells within the United States are not staple articles or commodities of commerce and have no substantial non-infringing use. On information and belief, Union Community knows that such optics modules are especially made or especially adapted for use in an infringement of the '347 patent. Third-parties who use the Union Community FRDs infringe one or more claims of the '347 patent.

19. Union Community thus contributes to infringement of the '347 patent in violation of 35 U.S.C. § 271(c).

20. Union Community's acts of infringement are willful. Union Community knew and knows of the '347 patent and that its FRDs infringe the '347 patent.

21. Union Community's acts of infringement have caused irreparable harm to SecuGen and SecuGen will continue to suffer such irreparable harm unless Union Community is preliminarily and permanently enjoined by this Court.

## **SECOND CAUSE OF ACTION**

### **(Infringement of the '020 patent)**

22. SecuGen incorporates the allegations set forth in Paragraphs 1-21 above as if fully set forth herein.

23. The Union Community FRDs that Union Community imports into the United States, and distributes, offers to sell and sells within the United States include optics modules that are covered by one or more claims of the '020 patent.

24. Union Community's importation into the United States, and offers to sell, distribution, and sales within the United States of the Union Community FRDs that contain optics modules that are covered by one or more claims of the '020 patent is unauthorized.

25. Union Community's importation into the United States, and distribution, offers to sell and sales within the United States of Union Community FRDs that contain optics modules that are covered by one or more claims of the '020 patent thus constitutes infringement of the '020 patent in violation of 35 U.S.C. § 271(a).

26. Union Community actively induces third-parties to use within the United States the Union Community FRDs. Third-parties who use the Union Community FRDs infringe one or more claims of the '020 patent.

27. Union Community thus actively induces infringement of the '020 patent in violation of 35 U.S.C. § 271(b).

28. The optics modules incorporated into the Union Community FRDs that Union Community imports into the United States, distributes, offers to sell and sells within the United States are not staple articles or commodities of commerce and have no substantial non-infringing use. On information and belief, Union Community knows that such optics modules are especially made or especially adapted for use in an infringement of the '020 patent. Third-parties who use Union Community's FRDs infringe one or more claims of the '020 patent.

29. Union Community thus contributes to infringement of the '020 patent in violation of 35 U.S.C. § 271(c).

30. Union Community's acts of infringement are willful. Union Community knew and knows of the '020 patent and that its FRDs infringe the '020 patent.

31. Union Community's acts of infringement have caused irreparable harm to SecuGen and SecuGen will continue to suffer such irreparable harm unless Union Community is preliminarily and permanently enjoined by this Court.

#### PRAYER

By reason of the foregoing, SecuGen respectfully requests that this Court:

(a) enter judgment that Union Community has infringed the '347 and '020 patents;

(b) enter judgment that Union Community's acts of patent infringement are willful;

(c) preliminarily and permanently enjoin Union Community, its officers, subsidiaries, affiliates distributors, agents, servants, employees, attorneys, and all persons in active concert with it, from any further infringement of the '347 and '020 patents;

(d) award damages, costs, and prejudgment interest to SecuGen under 35 U.S.C. § 284;

(e) declare this case exceptional and award SecuGen its reasonable attorneys' fees pursuant to 35 U.S.C. § 285;

- 1 (f) award SecuGen treble damages for Union Community's willful infringement; and  
2 (g) award SecuGen such other relief as this Court deems just and proper.

3 Dated: March 6, 2008

Respectfully submitted,

Plaintiff SecuGen Corporation

By its attorney,

4  
5  
6  
7 

8 Erica D. Wilson  
9 Email: ewilson@goodwinprocter.com  
10 GOODWIN PROCTER LLP  
11 181 Lytton Avenue  
12 Palo Alto, California 94301  
13 Telephone: 650-752-3100  
14 Facsimile: 650-853-1038

15  
16 **DEMAND FOR JURY TRIAL**

17 Pursuant to Fed. R. Civ. P. 38, SecuGen hereby demands trial by jury of all issues triable to a  
18 jury.

19 Dated: March 6, 2008

Respectfully submitted,

Plaintiff SecuGen Corporation

By its attorney,

20  
21 

22 Erica D. Wilson  
23 Email: ewilson@goodwinprocter.com  
24 GOODWIN PROCTER LLP  
25 181 Lytton Avenue  
26 Palo Alto, California 94301  
27 Telephone: 650-752-3100  
28 Facsimile: 650-853-1038